

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION**

RANDY DISHMON,

Plaintiff,

v.

WAL-MART STORES, INC.,

Defendant.

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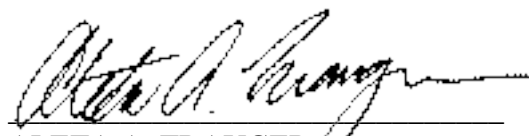
**Case No. 2:07-cv-0079
Judge Trauger**

ORDER

For the reasons expressed in the accompanying memorandum, the Defendant's Motion for Summary Judgment (Docket No. 29) is **DENIED**. The Defendant's Motion to Strike Portions of Plaintiff's Affidavit (Docket No. 38) is also **DENIED**. It is further **ORDERED** that the parties shall file a supplemental joint mediation report by February 23, 2009, indicating their willingness to attempt a mediation before this case goes to trial.

It is so Ordered.

Entered this 17th day of February 2009.



ALET A. TRAUGER
United States District Judge